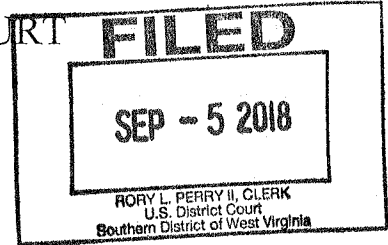


Request Jury Trial

AO 242 (12/11) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT
for theDENETRIA MYLES
Petitioner

v.

Case No. 1:18-cv-01278
(Supplied by Clerk of Court)WARDEN Jennifer SAAD
Respondent
(name of warden or authorized person having custody of petitioner)

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information

1. (a) Your full name: DENETRIA MYLES
(b) Other names you have used: _____
2. Place of confinement:
(a) Name of institution: FPC Alderson
(b) Address: Glen Ray Rd. Box A
Alderson, WV 24910
(c) Your identification number: 28271-058
3. Are you currently being held on orders by:
☒ Federal authorities ☐ State authorities ☐ Other - explain: _____
4. Are you currently:
☐ A pretrial detainee (waiting for trial on criminal charges)
☒ Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime
If you are currently serving a sentence, provide:
(a) Name and location of court that sentenced you: US District Court
Western District of North Carolina - Charlotte
(b) Docket number of criminal case: 3:12 CR 000239-024
(c) Date of sentencing: February 18, 2015
☐ Being held on an immigration charge
☒ Other (explain): 18 USC 1962(D), 18 USC 1344 & 18 USC 2
Racketeering conspiracy, Mortgage Fraud scheme
and aiding and abetting

AO 242 (12/11) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

Decision or Action You Are Challenging

5. What are you challenging in this petition:

- ☐ How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)
- ☐ Pretrial detention
- ☐ Immigration detention
- ☐ Detainer
- ☐ The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
- ☐ Disciplinary proceedings

☒ Other (explain): I am challenging the violation of my religious rights

6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court: FPC Alderson
West Virginia

(b) Docket number, case number, or opinion number: 945095-A1

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):

The rejection of my administrative remedy
As it was a formality to notify the Bureau of
Prison that irreparable harm had already attached.

(d) Date of the decision or action: August 20, 2018

Your Earlier Challenges of the Decision or Action

7. First appeal

Did you appeal the decision, file a grievance, or seek an administrative remedy?

☒ Yes ☐ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: Federal Prison Camp of Alderson
with Regional Director

(2) Date of filing: June 25, 2018

(3) Docket number, case number, or opinion number: 945095-R1

(4) Result: Reject

(5) Date of result: June 27, 2018

(6) Issues raised: I raised that my religious rights
under The Religious Land Use and Institutionalized
Persons Act (RLUIPA) were violated and
Discrimination - See Attached memorandum and
exhibits.

(b) If you answered "No," explain why you did not appeal:

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☒ Yes

☐ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: Regional Director of The Federal Bureau of Prisons

(2) Date of filing: July 13, 2018

(3) Docket number, case number, or opinion number: 945095-R2

(4) Result: Rejected

(5) Date of result: July 17, 2018

(6) Issues raised: The same issues raised in Remedy id: 945095-R1 - violations of religious rights and discrimination.

See Attached memorandum and exhibits

(b) If you answered "No," explain why you did not file a second appeal:

9. **Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

☒ Yes

☐ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: General Counsel of The Bureau of Prisons

(2) Date of filing: July 30, 2018

(3) Docket number, case number, or opinion number: 945095-A1

(4) Result: rejected

(5) Date of result: August 20, 2018

(6) Issues raised: SAME issues raised in remedy id's: 945095-R1 and 945095-R2 - violation of religious rights and discrimination

AO 242 (12/11) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

(b) If you answered "No," explain why you did not file a third appeal:

10. **Motion under 28 U.S.C. § 2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

☐ Yes

☒ No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

☐ Yes

☐ No

If "Yes," provide:

(1) Name of court:

(2) Case number:

(3) Date of filing:

(4) Result:

(5) Date of result:

(6) Issues raised:

(b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

☐ Yes

☒ No

If "Yes," provide:

(1) Name of court:

(2) Case number:

(3) Date of filing:

(4) Result:

(5) Date of result:

(6) Issues raised:

- (c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence:

The issues raised happened in West Virginia while incarcerated at the Federal Prison Camp of Alderson. They did not happen under the jurisdiction of my sentencing court.

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

☐ Yes

☒ No

If "Yes," provide:

- (a) Date you were taken into immigration custody: _____
- (b) Date of the removal or reinstatement order: _____
- (c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes

☐ No

If "Yes," provide:

- (1) Date of filing: _____
- (2) Case number: _____
- (3) Result: _____
- (4) Date of result: _____
- (5) Issues raised: _____

- (d) Did you appeal the decision to the United States Court of Appeals?

☐ Yes

☒ No

If "Yes," provide:

- (1) Name of court: _____
- (2) Date of filing: _____
- (3) Case number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

12. Other appeals

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

☐ Yes☒ No

If "Yes," provide:

(a) Kind of petition, motion, or application: _____

(b) Name of the authority, agency, or court: _____

(c) Date of filing: _____

(d) Docket number, case number, or opinion number: _____

(e) Result: _____

(f) Date of result: _____

(g) Issues raised: _____

Grounds for Your Challenge in This Petition

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground.

GROUND ONE: Violation of religious rights under the Religious LAND use And Institutionalized Persons Act (RLUIPA). ~~and~~
SEE Attached Memorandum and exhibits

AO 242 (12/11) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

SEE Attached Memorandum

(b) Did you present Ground One in all appeals that were available to you?

☒ Yes

☐ No

GROUND TWO: Discrimination

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

See Attached memorandum

(b) Did you present Ground Two in all appeals that were available to you?

☐ Yes

☒ No

GROUND THREE: none

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

(b) Did you present Ground Three in all appeals that were available to you?

☐ Yes

☐ No

AO 242 (12/11) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241.

GROUND FOUR:

None

(a) Supporting facts (Be brief. Do not cite cases or law.):

(b) Did you present Ground Four in all appeals that were available to you?

☐ Yes

☒ No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not: n/a

Request for Relief

15. State exactly what you want the court to do: Plaintiff seeks \$100,000 punitive damages, \$25,000⁰⁰ compensatory damages, jury trial on all issues and any additional relief this court deems just, proper and equitable.

AO 242 (12/11) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

8/31/18

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date:

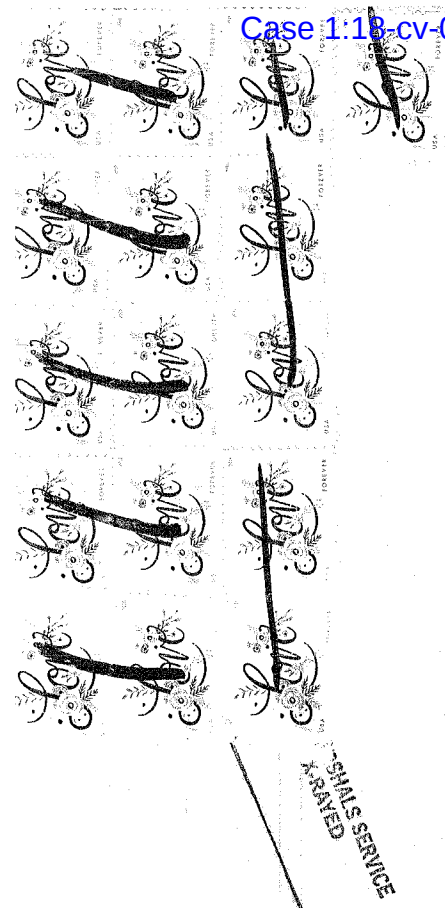
8/31/18



Signature of Petitioner

Signature of Attorney or other authorized person, if any

VENUE 16A 11/15/18, 2021 11-030
 Unit A4
 Federal Prison Camp
 Glen Ray Rd. Box A
 Alderson, WV 24910



SMILE SERVICE
 X-RATED

28271-058
 Us Dist Court Sd Of West Va
 601 Federal ST
 Room 1000
 Bluefield, WV 24701
 United States

		Retail	
P	US POSTAGE PAID \$0.00		
	Origin: 24910 Destination: 24701 1Lb 0.10 Oz Sep 04, 18 9500780382-08	1006	
	PRIORITY MAIL 2-Day®		
EXPECTED DELIVERY DAY: 09/06/2018		C001	
USPS TRACKING NUMBER			
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